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Attorneys for Defendant
FACEBOOK, INC.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

SAMBREEL HOLDINGS LLC; YONTOO LLC;
and THEME YOUR WORLD LLC,

Plaintiffs,

vs.

FACEBOOK, INC.,

Defendant.

CASE NO. 12-CV-00668-CAB-KSC

**DECLARATION OF CHRIS PALOW
IN SUPPORT OF FACEBOOK, INC.'S
EX PARTE APPLICATION FOR AN
EXPEDITED RULE 16 SCHEDULING
CONFERENCE AND AN ORDER FOR
EXPEDITED BRIEFING AND
DISCOVERY**

Judge: Magistrate Karen S. Crawford

I, Chris Palow, declare:

1. I am employed by Facebook, Inc. ("Facebook") as Manager, Engineering. I have personal knowledge of the following facts and if called to testify as a witness would testify as follows:

1 2. Facebook deployed scanning technology to detect Facebook users running software
2 operated by Sambreel Services LLC, Yontoo LLC and/or Theme Your World LLC's ("Sambreel").

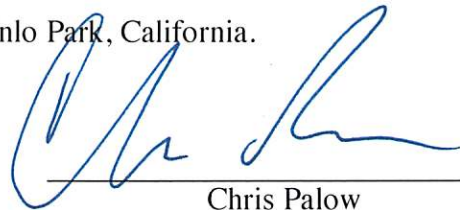
3 3. Based on internal data Facebook determined that approximately two million
4 Facebook users running Sambreel's PageRage software made calls each day to Facebook servers
5 during the first week of December 2011. On or about December 12, 2011, Facebook began
6 prompting such users to uninstall the software.

7 4. Per an interim agreement with Sambreel, beginning on or about December 23, 2011,
8 Facebook ceased adding newly discovered users running the software into its prompting mechanism
9 and began removing the vast majority of such users from the same. Since that date, Facebook has
10 not reinitiated prompting. Neither initiating nor terminating this process is instantaneous, and some
11 prompting has persisted likely due to database errors during the termination process.

12 5. On or around the third week of March, when Sambreel filed its lawsuit, Facebook
13 detected that approximately three million users whose browsers were running the PageRage software
14 made calls each day to Facebook servers. This indicates that Sambreel's "user" base has increased
15 significantly beyond what it was even before Facebook began "gating" users in mid December 2011.
16 The number of PageRage calls on a per-month basis would be considerably higher.

17
18 I declare, under the penalty of perjury under the laws of the United States, that the foregoing
19 is a true and correct to the best of my knowledge.

20 Executed this 3rd day of April 2012, at Menlo Park, California.

21
22
23 
Chris Palow